

REMARKS

Applicants respond herein to each of the issues raised in the Office Action. Applicants submit that the present application is in form for allowance for at least the reasons more fully discussed below.

Objections to the Drawings:

The drawings are objected to as not including a reference sign "325Ss" found at page 10, last line and page 11, second line of the specification. Office Action, p. 2. Applicants note that the error was actually a typographical error in the specification, where the reference number in each instance should have been to 325Vs. Accordingly, the specification has been revised above to correct this typographical error. Applicants appreciate the Examiner's detection of the error and request withdrawal of the objection to the drawings in light of the change to the specification.

Claims 5-12 Are in a Form Indicated as Allowable:

Claims 5 and 12 have been placed in independent form above. Accordingly, Claims 5-12 are now in a form indicated as allowable in the Office Action.

Rejections Under Section 102:

Claims 1-4 are rejected under 35 U.S.C. § 102 as being anticipated by United States Patent Publication No. 20030116794 to Lowrey ("Lowrey"). Office Action, p. 3. The rejection is based on the Office Action finding a contact area extending into a recess of the electrode 22 of Lowrey where "recess is interpreted broadly." Office Action, p. 3. Claim 1 has been amended above to recite that "the phase change material layer directly contacts the first electrode throughout the recess." Applicants submit that, even with the interpretation of "recess" applied in the Office Action, Lowrey does not disclose such a direct contact throughout the recess.

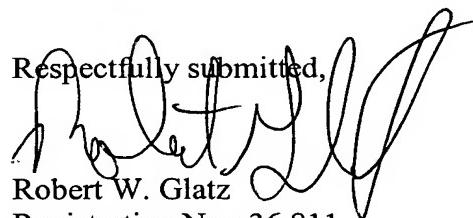
More particularly, Applicants understand the rejection to be treating the interior space defined by the "tubular and cup-shaped" portion of the electrode 22 of Lowrey as a recess. Lowrey, paragraph 14. However, a pore is defined within the interior of the lower electrode 22 of Lowrey "by a pair of opposed spacers 24." Lowrey, paragraph 14. As such, the phase-

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change layer 28 of Lowrey only directly contacts the lower electrode 22 in a central portion of the bottom of the tubular and cup-shaped lower electrode 22, not throughout the interior of the lower electrode 22. *See*, Lowrey, Figure 1. Accordingly, the rejection of Claim 1 should be withdrawn for at least these reasons. The rejections of Claims 2-4 should be withdrawn at least based on their dependence from Claim 1.

Conclusion

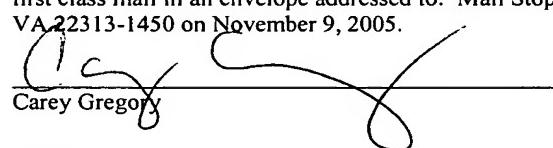
In view of the above, Applicants submit that the pending claims are in condition for allowance and respectfully request allowance of the present application. If further informalities are noted, the Examiner is encouraged to contact the undersigned by telephone to expedite allowance of the present application.

Respectfully submitted,

Robert W. Glatz
Registration No.: 36,811

USPTO Customer No. 20792
Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: 919/854-1400
Facsimile: 919/854-1401

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Carey Gregory
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